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May 31, 2019

VIA ECF

Honorable Roanne L. Mann
Chief United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Mason et al. v. Lumber Liquidators, Inc.*,
17-cv-04780 (MKB) (RLM)

Dear Chief Magistrate Judge Mann:

This office represents Plaintiffs in the above-referenced Action. We write to request the Court set a specific deadline by which Defendant must comply with the Court's May 13, 2019 Order requiring Defendant to produce "in a computer-readable format, a list of the names, addresses, telephone numbers, email addresses, work locations and dates of employment for all potential collective action members during the relevant time period" (hereinafter, "Collective Data"). *See* Order, p. 35 (Dkt 70).

To-date, after repeated requests, Defendant's counsel advised yesterday that they would agree to produce the Collective Data on June 13, 2019 (which is 31 days after the Court's Order), *provided* they do not move for a stay of such requirement before that time. Typically, Collective Data is ordered to be produced within 10 days¹, 14 days,² or 21 days³ of a motion granting conditional certification. We

¹ *Martin v. Sprint/United Mgmt. Co.*, 15-cv-5237 (PAE), 2016 WL 30334, at *20 (S.D.N.Y. Jan. 4, 2016) (requiring production within 10 days following order); *Jackson v. Bloomberg*, 298 F.R.D. 152, 170 (S.D.N.Y. 2014) (10 days); *Levy v. Verizon Information Services, Inc.*, 6-cv-1583 (NG) (SMG), 2007 WL 1747104, at *5 (E.D.N.Y. June 11, 2007) (10 days).

² *Portilla v. Bridgehampton Stone, Inc.*, 17-cv-2549 (JMA) (AYS), 2019 WL 1128364, at *8 (E.D.N.Y. Mar. 12, 2019) (requiring production within 14 days following order); *Jing Fang Luo v. Panarium Kissena Inc.*, 15-cv-3642 (WFK) (SLT), 2017 WL 1216571, at *2 (E.D.N.Y. Mar. 30, 2017) (14 days); *Maldonado v. Arcadia Business Corp.*, 14-cv-4129 (DLI) (RML), 2015 WL 1914933, at *5 (E.D.N.Y. Apr. 27, 2015) (14 days); *Ritz v. Mike Rory Corp.*, 12-cv-367 (JBW) (RML), 2013 WL 1799974, at *6 (E.D.N.Y. Apr. 30, 2013) (14 days).

³ *Spack v. Trans World Entm't Corp.*, 17-cv-1335 (TJM/CFH), 2019 WL 192344, at *16 (N.D.N.Y. Jan. 15, 2019) (requiring production within 21 days following order); *Keawsri v. Ramen-Ya Inc., et al.*, 17-cv-2406 (VEC), 2018 WL 279756, at *8 (S.D.N.Y. Jan. 2, 2018) (21 days); *Griffin v. ALDI, Inc.*, 5:16-cv-354 (LEK) (ATB), 2017 WL 1397320, at *12 (N.D.N.Y. Feb. 22, 2017) (same); *Hernandez v. City of New York*, 16-cv-3445 (RA), 2017 WL 2829816, at *10 (S.D.N.Y. June 29, 2017) (20 days); *Costello v. Kohl's Illinois, Inc.*, 13-cv-1359 (GHW), 2014 WL 4377931, at *8 (S.D.N.Y. Sept. 4, 2014) (21 days); *Amador v. Morgan Stanley & Co. LLC*, 11-cv-4326 (RJS), 2013 WL 494020, at *8 (S.D.N.Y. Feb. 7, 2013) (21 days).

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request the Collective Data be produced as soon as possible, but no later than June 6, 2019 (which is 24 days following the Court's Order).

We thank Your Honor in advance for your consideration of the foregoing.

Respectfully submitted,

/s/ Justin R. Marino

Justin R. Marino

cc: Defendant's Counsel (via ECF)
